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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/729,714

12/05/2003

Diana U. Kean

YAMAP0893US

2668

43076

7590

03/04/2009

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EXAMINER

NGUYEN, DUNG T

ART UNIT

PAPER NUMBER

2871

MAIL DATE

DELIVERY MODE

03/04/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/729,714	KEAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dung Nguyen	2871	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/21/08</u> .   | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

Applicant's amendment dated 11/19/2008 has been received and entered. Claims 1-10 are pending in the application.

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's submitted prior art, Seigo, JP 09-281440, as stated in the previous office action

Regarding claims 1-2 and 5-10, Seigo discloses a stereoscopic display (figures 1, 2 and 6) comprising:

. a display device (picture display part 1) having first pixels (3) and second pixels (4) arranging in rows and columns pixels,(figure 3b);

. a parallax optic (image barrier 2) having rows and columns parallax elements (see figure 6, 18), in which each row offset and having a pitch as claimed (e.g., shift to next row by half the pitch of the parallax element (see figure 6);

. wherein a size of a row direction is larger than that of a column direction (see figure 6b for the size of L/R pixels);

. wherein the display device (1) is disposed between the parallax optic (2) and viewing regions (8, 9).

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Seigo, however, does not explicitly disclose a controller for supplying image data for the display device. One of ordinary skill in the art would be able to merely find how to supply signals (e.g., image data signal) to a display device by using a controller, since it is a common practice in the art for driving the display device. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ the Seigo's display device a controller for driving purposes (e.g., applying data signal).

Regarding claims 3-4, Seigo discloses the claimed invention as described above except for the display device being a spatial light modulator or a light-attenuating modulator. It would have been an obvious to one having ordinary skill in the art at the time the invention was made to use a liquid crystal device or a spatial light modulator or a light attenuating modulator since the examiner takes Office Notice of the equivalence of the liquid crystal device and the spatial light modulator or the light-attenuating modulator for their use in the art and the selection of any of these known equivalents for modulating would be within the level of ordinary skill in the art.

### ***Response to Arguments***

3. Applicant's arguments filed 11/19/2008 have been fully considered but they are not persuasive.

Applicant's arguments are that Seigo does not teach or suggest the arrangement of the parallax element and the first and second pixels. The Examiner is not convinced by this argument since the same is true of the Seigo's device. In particular, Seigo does disclose the first and second pixels as a left/right pixels (3/4) of the display device (1) as well as an arrangement

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of the parallax element as clearly shown in figure 6a (pitch of the parallax element ) and figure 6b (size of pixels).

Accordingly, the rejection of claims 1-10 stand.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DN  
03/02/2009

/Dung T. Nguyen/  
Primary Examiner  
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